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Financing of the United Nations Mission of Support in East Timor

Report of the Fifth Committee

Rapporteur: Mrs. Denisa **Hutanová** (Slovakia)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2004, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-ninth session the item entitled "Financing of the United Nations Mission of Support in East Timor" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 4th and 13th meetings, on 7 and 26 October 2004. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/59/SR.4 and 13).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the financial performance of the budget of the United Nations Mission of Support in East Timor for the period from 1 July 2002 to 30 June 2003 (A/58/636);

(b) Report of the Secretary-General on the budget for the United Nations Mission of Support in East Timor for the period from 1 July 2004 to 30 June 2005 (A/59/290);

(c) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/59/384).

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II. Consideration of draft resolution A/C.5/59/L.8

4. At its 13th meeting, on 26 October, the Committee had before it a draft resolution entitled "Financing of the United Nations Mission of Support in East Timor" (A/C.5/59/L.8), which was submitted by the representative of Slovakia, Rapporteur of the Committee, on the basis of informal consultations.

5. At the same meeting, before the adoption of the draft resolution, a statement was made by the Controller, and statements in explanation of position were made by the representatives of Indonesia, New Zealand and Australia.

6. Also at the same meeting, the Committee adopted draft resolution A/C.5/59/L.8 without a vote (see para. 8).

7. At the same meeting, after the adoption of the draft resolution, the representative of Timor-Leste made a statement.

III. Recommendation of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Mission of Support in East Timor

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission of Support in East Timor,[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolution 1272 (1999) of 25 October 1999 regarding the establishment of the United Nations Transitional Administration in East Timor and the subsequent resolutions by which the Council extended the mandate of the Transitional Administration, the last of which was resolution 1392 (2002) of 31 January 2002, by which the mandate was extended until 20 May 2002,

Recalling also Security Council resolution 1410 (2002) of 17 May 2002, by which the Council established the United Nations Mission of Support in East Timor as of 20 May 2002 for an initial period of 12 months, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1543 (2004) of 14 May 2004, by which the Council extended the Mission for a period of six months, with a view to subsequently extending the mandate for a further and final period of six months, until 20 May 2005,

Recalling further its resolution 54/246 A of 23 December 1999 on the financing of the United Nations Transitional Administration in East Timor and its subsequent resolutions on the financing of the United Nations Mission of Support in East Timor, the latest of which was resolution 58/260 B of 18 June 2004,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Noting with appreciation that voluntary contributions have been made to the Mission and to the Trust Fund for the United Nations Transitional Administration in East Timor,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Taking note of the views expressed by Member States,[3]

1. *Takes note* of the status of contributions to the United Nations Transitional Administration in East Timor and the United Nations Mission of Support in East Timor as at 30 September 2004, including the contributions

[1] A/58/636 and A/59/290.
[2] A/59/384.
[3] A/C.5/59/SR.13.

outstanding in the amount of 74.8 million United States dollars, representing some 4 per cent of the total assessed contributions, notes with concern that only 33 Member States have paid their assessed contributions in full, and urges all other Member States, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full, and urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Transitional Administration and the Mission in full;

3. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provision of the present resolution, and requests the Secretary-General to ensure their full implementation, in particular:

(a) That the staffing of the Serious Crimes Unit will be further adjusted after the completion of the investigations to be commensurate with such residual tasks as it may have once the investigations have been completed;

(b) That the Mission, to the extent possible, recruit National Officers and national General Service staff locally to fill international Professional and General Service posts;

9. *Requests* the Secretary-General to report on the implementation of the above-mentioned paragraphs of the present resolution in the context of his performance report;

10. *Endorses* the view of the Advisory Committee on Administrative and Budgetary Questions in paragraph 31 of its report[2] that the position of Force Commander should be classified at the D-1 level, but authorizes the Secretary-General, as an exceptional measure and without prejudice to other peacekeeping missions, to maintain the incumbent at the D-2 level given the difficulties in recruiting a replacement owing to the short time remaining until the completion of the Mission;

11. *Emphasizes* that the Serious Crimes Unit should complete all investigations by November 2004 and should conclude trials and other activities as soon as possible and no later than 20 May 2005;

12. *Requests* the Secretary-General to measure the accomplishments of the Mission fully in accordance with Security Council resolution 1543 (2004);

Financial performance report for the period from 1 July 2002 to 30 June 2003

13. *Takes note* of the report of the Secretary-General on the financial performance of the Mission for the period from 1 July 2002 to 30 June 2003;[4]

Budget estimates for the period from 1 July 2004 to 30 June 2005

14. *Decides* to appropriate to the Special Account for the United Nations Mission of Support in East Timor the amount of 85,153,700 dollars for the period from 1 July 2004 to 30 June 2005, inclusive of the amount of 30,485,600 dollars previously authorized by the General Assembly for the Mission for the period from 1 July to 31 October 2004 under the terms of its resolution 58/260 B, and comprising the amount of 77,071,800 dollars for the period from 1 July 2004 to 20 May 2005 for the maintenance of the Mission and the amount of 8,081,900 dollars for the commencement of the liquidation activities of the Mission for the period from 21 May to 30 June 2005;

Financing of the appropriation

15. *Decides also*, taking into account the amount of 30,485,600 dollars already apportioned under the terms of its resolution 58/260 B, to apportion among Member States the additional amount of 3,530,657 dollars for the Mission for the period from 1 July to 20 November 2004, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolutions 55/236 of 23 December 2000, and updated in its resolution 58/256 of 23 December 2003, taking into account the scale of assessments for 2004, as set out in its resolution 58/1 B of 23 December 2003;

16. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of 287,709 dollars, representing the estimated additional staff assessment income approved for the Mission for the period from 1 July to 20 November 2004;

17. *Decides* to apportion among Member States the amount of 43,055,543 dollars for the period from 21 November 2004 to 20 May 2005, in accordance with the scheme set out in paragraph 15 above and taking into account the scale of assessments for 2004 and 2005, as set out in its resolution 58/1 B, subject to a decision of the Security Council to extend the mandate of the Mission;

18. *Decides also* that in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund of the amount of 3,004,991 dollars, representing the estimated staff assessment

[4] A/58/636.

income approved for the Mission for the period from 21 November 2004 to 20 May 2005;

19. *Decides further* to apportion among Member States the amount of 8,081,900 dollars for the Mission for the period from 21 May to 30 June 2005, in accordance with the scheme set out in paragraph 15 above and taking into account the scale of assessments for 2005, as set out in its resolution 58/1 B;

20. *Decides* that in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 19 above, their respective share in the Tax Equalization Fund of the amount of 382,900 dollars, representing the estimated staff assessment income approved for the Mission for the period from 21 May to 30 June 2005;

21. *Decides also* that for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 15 above, their respective share of the unencumbered balance and other income in the total amount of 14,583,900 dollars in respect of the financial period ended 30 June 2003, in accordance with the levels set out in General Assembly resolution 55/235, as adjusted by the Assembly in its resolution 55/236 and its resolution 57/290 A of 20 December 2002, taking into account the scale of assessments for 2003 as set out in its resolutions 55/5 B of 23 December 2000 and 57/4 B of 20 December 2002;

22. *Decides further* that for Member States that have not fulfilled their financial obligations to the Mission, there shall be set off against their outstanding obligations their respective share of the unencumbered balance and other income in the total amount of 14,583,900 dollars in respect of the financial period ended 30 June 2003, in accordance with the scheme set out in paragraph 21 above;

23. *Decides* that the decrease of 181,300 dollars in the estimated staff assessment income in respect of the financial period ended 30 June 2003 shall be set off against the credits from the amount referred to in paragraphs 21 and 22 above;

24. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

25. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

26. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

27. *Decides* to keep under review during its fifty-ninth session the item entitled "Financing of the United Nations Mission of Support in East Timor".